



**Liquor & Tobacco Advisory Board Agenda  
Tuesday, May 18, 2021  
6:00 P.M. – City Council Chambers, 2<sup>nd</sup> floor, City Hall  
via video conference on Cisco Webex  
425 East State Street  
Rockford, IL 61104  
779-348-7163**

**Present:**

**ZBA Members:**

Dan Roszkowski  
Jennifer Smith  
Kim Johnsen  
Maurice Redd  
Jennifer Spencer  
Craig Sockwell  
Tom Fabiano

**Absent:**

**Staff:**

Angela Hammer- City Attorney  
Megan McNeill- Assistant City Attorney  
Leisha Kury- Administrative Assistant  
Scott Capovilla – Planning and Zoning Manager  
Mike Rotolo- Fire Prevention Coordinator  
Ebron Tyson – Videographer  
Jeremy Carter - Traffic Engineer

**Others:**

Joanne Ely- Court Stenographer  
Applicants and Interested Parties

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Dan Roszkowski, Chair of the ZBA, stated that this meeting was being held remotely as the Mayor has determined that an in-person meeting is not practical or prudent because of the COVID-19 pandemic.

Scott Capovilla explained the format of the virtual meeting and the rules of procedure, as follows:

Due to the COVID-19 pandemic and social distancing restrictions, this public hearing for the Zoning Board of Appeals was held by video conference, using Cisco Webex. The audio was streamed at City Hall in Council Chambers and on the City's website.

As the host, he would be monitoring microphones and attendees during the meeting. Notices and agendas were posted and sent about this meeting which informed interested parties about the ways they could submit comments and questions regarding agenda items. This included: written public comments

being submitted by 5:00 pm, on May 18, 2021, to Board Secretary Leisha Kury's email, or the City's permit center located on the first floor at City Hall or coming to City Hall to listen to the meeting and present any comments in Council Chambers.

The agenda and staff recommendation packets were also posted on the City's website. All applicants on the conference had previously consented to proceeding with the virtual hearing. Some additional rules for the meeting:

- Please speak clearly and not too fast so the court stenographer can make an accurate record.
- Please be sure to identify yourself before speaking.
- Applicants and interested parties, after being sworn in by the Chair, please state and spell your name for the record.
- If you're not speaking and I fail to mute you, please mute yourself so that the meeting is not disrupted
- No person will be allowed to speak unless they are first recognized by the Chair
- All votes will be by roll-call
- Since we're on video /audio, please refer to exhibits or page numbers, if applicable. All exhibits should have been provided prior to the meeting and within the recommendation packet. Due to this being a virtual hearing, applicants if you have any new exhibits that you want considered by the Board for your request, you may request a layover. Those exhibits will also need to be provided to Staff and the public as part of the complete packet.
- If you are having any technical issues, please use the chat box function and send a message directly to me "Scott" or use the raise your hand function.
- Applicants, should you have technical issues or decide to lay your item over instead for whatever reason, please let the Board know when your item is called.
- LTAB applicants were given the option to be put "in the lobby" on the conference. This means that they would not be able hear or see anything during the ZBA meeting.

Lastly, the procedure would be as follows:

- The Chair will call the address of the application.
- The Applicant or representative will be unmuted and be sworn in.
- The Applicant or representative will present their request to the Board.
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties present at City Hall or any emails to be read into the record. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and state and spell their name for the record. Legal staff will read any written comments into the record that were received in advance.
- The Objector or Interested Party will state their name and present all their concerns, objections and questions regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions raised.
- Interested party at City hall will have another opportunity to provide any additional follow up based on the Applicant's responses.
- The Board will then deliberate and a roll call vote will be taken.

The LTAB meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the LTAB meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Code & Regulation meeting will be Monday, May 24, 2021 at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Monday, June 7, 2021. If the item is laid over at the LTAB meeting, the next meeting is Tuesday, June 15, 2021. If for any reason the item is

laid over at the committee level or on the city council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 6:52 PM. A **MOTION** was made by Maurice Redd to **APPROVE** the April 20, 2021 meeting minutes. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 7-0 via roll call vote.

**21-LTAB-011**

Applicant  
Ward 11

**1120 Broadway**

Magboul Bul / Bul's African Grocery, LLC dba Bul's African Grocery Store  
**The sale of tobacco products** in conjunction with a grocery store in a C-4, Urban Mixed-Use Zoning District

Attorney Mario Tarara, spoke on behalf of the applicant. Attorney Tarara is requesting a the sale of tobacco products located at 1120 Broadway. This location is a current African Grocery store, his client would like to expand his sales by adding tobacco products along with the grocery sales. This location has been open since 2020. The tobacco sales will be sold from behind the counter and will be supervised. Attorney Tarara stated they have reviewed staff recommendations and agree to the conditions.

Staff Recommendation is for Approval with fourteen (14) conditions. One email was read into the record.

Alderman Tuffy Quinonez, spoke in favor of this applicant. Alderman Quinonez stated he would like to welcome this business to his ward. No interested parties were present.

Scott Capovilla stated he had an objector via email. The full email will be attached to the Code and Regulation committee agenda packet. The objector, Crusader Community health, submitted a letter which read, in part, "allowing alcohol sales in such proximity to out clinic located at 1100 Broadway could potentially increase the amount of security and police assistance calls."

Attorney Tarara responded to the email and stated his client requesting for the sale of tobacco and not liquor sales.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of tobacco products in conjunction with a grocery store in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Tobacco Codes.
3. Submittal of Building Permit for staff review and approval.
4. The sale of tobacco products shall be limited to the interior site plan that was submitted Exhibit E.
5. The hours of operation and days will be 9:00 A.M. to 7:00 P.M. Monday through Saturday, 12:00 P.M. to 7:00 P.M., Sunday.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
8. Window display signage is limited to 20% of window area.
9. There shall not be temporary exterior signage.
10. The windows shall not be covered with bars or other devices that block the windows.
11. The windows shall not be covered by a film.
12. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
13. All outstanding general ordinance fines must be paid prior to the issuance of the license.
14. All conditions must be met prior to establishment of use.

**21-LTAB-012**

Applicant  
Ward 11

**2327 Kishwaukee Street**

Destiny Dah'Ve Chouinard / TNT Securities Inc. dba TNT's  
**Modification of existing liquor license** to add a different business partner as a 10% shareholder, packaged liquor, and beer garden to a liquor license by the drink in conjunction with a tavern and restaurant in an I-1, Light Industrial Zoning District

The applicant, Destiny Chouinard, was present. Mrs. Chouinard stated she is applying to become the 10% shareholder to the business, in addition to adding a beer garden.

Assistant City Attorney, Megan McNeil, asked the applicant if she has reviewed staff recommendations and agrees. Mrs. Chouinard responded that she has reviewed the conditions and she agrees to comply.

Staff Recommendation is for Approval with eighteen (18) conditions. No objectors were present. No emails were read into the record.

Alderman Tuffy Quinonez stated he is in favor of this application. No interested parties were present.

Scott Capovilla stated, although the applicant is requesting for a 6<sup>th</sup> gaming machine, the board will not be voting on that request tonight. That request will be voted on at the Code and Regulation meeting.

Craig Sockwell stated how many entrances and exits are in the building. Mrs. Chouinard responded there are four doors. Craig Sockwell stated he is speaking about doors for the customers. Mrs. Chouinard responded there are two for the customers, with one being a double door.

A **MOTION** was made by Maurice Redd to **APPROVE** Modification of existing liquor license to add a different business partner as a 10% shareholder, packaged liquor, and beer garden to a liquor license by the drink in conjunction with a tavern and restaurant in an I-1, Light Industrial Zoning District. The motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of Building Permit for staff review and approval.
4. Submittal of a Parking Lot Permit for staff review and approval
5. The sale of alcohol shall be limited to the approved plans Exhibit F and Exhibit G.
6. The property shall be developed as per approved plan Exhibit F.
7. Submittal of a Fence Permit and fence elevations for staff review and approval.
8. Submittal a Dumpster Enclosure Permit and dumpster detail for staff review and approval
9. The hours of operation will be limited to 6:00 A.M. to 2:00 A.M. Monday through Saturday and 9:00 A.M to 2:00 A.M. on Sunday.
10. Window display signage is limited to 20% of window area.
11. The windows shall not be covered with bars or other devices that block the windows.
12. The tavern and restaurant shall not have a cover charge.
13. The tavern and restaurant shall not have a dance floor.
14. The tavern and restaurant shall not have any DJs.
15. The tavern and restaurant shall not operate as a nightclub.
16. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
17. All outstanding general ordinance fines must be paid prior to issuance of the license.
18. All conditions must be met prior to establishment of use.

**21-LTAB-013**

Applicant  
Ward 12

**864 W. Riverside Blvd.**

Shrooq Muhssen / Convenience Plus Inc. dba Convenience Plus  
**The sale of tobacco products** in conjunction with a convenience store  
in a C-2 Limited Zoning Commercial District

Abed Muhssen, was present. Mr. Muhssen stated he is requesting the sale of tobacco products. This is actually a change in ownership and they are switching everything over to the new owners.

Dan Roszkowski asked the applicant if he has read staff recommendations and agrees. Mr. Muhssen responded he has read the conditions and agrees.

Kim Johnsen asked Abed Muhssen that the application indicates the applicant is Shrooq Muhssen but he stated his name is Abed Muhssen. Mr. Muhssen stated he is indeed Abed Muhssen who will be managing the store. Shrooq Muhssen is just the applicant. Kim Johnsen asked who the owner of the business is. Mr. Muhssen responded that the owner is Shrooq Muhssen, while he will manage the store.

Scott Capovilla confirmed that Abed Muhssen is listed on the manager's application page.

Staff Recommendation is for Approval with nine (9) conditions. No objectors or interested parties were present. No emails were read into the record.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of tobacco products in conjunction with a convenience store in a C-2 Limited Zoning Commercial District. The motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 7-0 via roll call vote.

Approval is based on the following conditions:

1. Must meet all applicable Building, Fire and Tobacco codes.
2. Window display signage is limited to 20% of window area.
3. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
4. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
5. The windows shall not be covered with bars or other devices that block the windows.
6. The hours of operation shall be limited to Monday through Saturday 9:00 a.m. to 9:00 p.m., 10:00 a.m. to 6:00 p.m. on Sunday.
7. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
8. All outstanding general ordinance fines must be paid prior to issuance of the license.
9. All conditions must be met prior to issuance of tobacco license.

With no further business to come before the Board, the meeting was adjourned at 7:50 PM.

Respectfully submitted,  
Leisha Kury, Administrative Assistant  
Zoning Board of Appeals